

Washington, D.C.

October 29, 2004

The Honorable Alvaro Uribe Velez
President of Colombia
Palacio de Nariño
Carrera 8 # 7-26
Bogotá, Colombia
Via Fax: 011-571-342-0592

Dear President Uribe:

As you undertake the difficult task of addressing Colombia's political violence and protecting your citizens, we, the undersigned organizations, wish to express our deep concern regarding the trend of individuals who, having been detained by Colombian security forces and later released due to a lack of evidence, are subsequently killed by illegal armed actors possibly as a consequence of the erroneous allegation. While Colombian and international human rights groups have called attention to this issue for some time, it took a series of recent murders, including the assassination of Professor Alfredo Correa de Andreis in Barranquilla, for the general public to grasp the gravity of the situation.

Mr. Correa was a professor at the University of the North and Simón Bolívar University, former dean of Magdalena University and a highly respected Barranquilla community member for his work on peace issues. According to the United Nations, he was detained on June 17, 2004 by DAS agents on a charge of rebellion based on the testimony of former guerrillas. Due to a lack of evidence substantiating the charge, Mr. Correa was released at the end of July by the Attorney General's office (*Fiscalía*). He was subsequently assassinated by unidentified assailants on September 17 together with his bodyguard, Eduard Ochoa.

In a statement concerning the assassination of Mr. Correa, the Defensoría del Pueblo indicated that detentions based on "fragile or weak evidence" which are overturned only after an individual has been publicly accused of being a member of or affiliated with an armed group, "expose (the individual) to violent acts by illegal armed groups." The Defensoría also pointed out that in the Department of Bolívar alone more than six people have been assassinated after charges or warrants against them were dropped. In a September 19 editorial, *El Tiempo* called Mr. Correa's assassination "a terrible warning bell about what can happen as a result of public portrayals of individuals as subversives that are carried out too often in the country, many times based on doubtful informants."

In addition to Mr. Correa's case and those cited by the Defensoría, we would like to bring to your attention other cases exemplifying this alarming trend.

Marco Antonio Rodríguez - According to press reports and information from Colombian human rights groups, Mr. Rodríguez, a farmer from Cajamarca, Tolima, was detained, along with 37 others, including a Catholic priest, politicians and social leaders from the region on August 22, 2003. Mr. Rodríguez released soon thereafter. On November 6, 2003, Mr. Rodríguez was taken from the community of Potosí against his will by armed men—allegedly members of the AUC paramilitary force. His body was later found—with signs of torture and a gun shot wound—in a common grave.

Maury Padilla - According to press reports and information from Colombian human rights groups Mr. Padilla, a former advisor to the Government of Bolívar Department, was detained in December 2003, accused of being a member of the ELN. After spending seven months in jail, he was released when the case against him collapsed. Mr. Padilla was then forced to flee the country in September due to threats against his life.

José Yamil Cure - According to press reports and the Attorney General's office, Mr. Cure—a well-known folklorist and leader in the world-renowned *Carnaval de Barranquilla*—was detained in early October on the charge of rebellion based on the testimony of former guerrillas. On October 12 Mr. Cure was released when the Attorney General's office indicated that his detention was “without merits” although the investigation will be kept open. Mr. Cure is considering leaving Barranquilla for security reasons.

We are deeply concerned for the safety of members of Colombian civil society who have been erroneously detained and subsequently released. Members of Colombia's human rights community, Colombia's churches and the international community are particularly concerned for the safety of Mauricio Avilez Alvarez of CEDHERNOS in Barranquilla and his family following his recent release from jail. Mr. Avilez, a law student who works with internally displaced persons through a ministry of the Presbyterian Church, was detained on June 10, 2004 on charges of rebellion and terrorism based on the testimony of an informant. He was released on October 20 after his arrest warrant was overturned by the Atlántico District Court (*Tribunal Penal del Atlántico*). Mr. Avilez may have to leave the area or the country due to fear for his life.

We recognize and support the Colombian State's duty to arrest and prosecute individuals accused of crimes in Colombia's devastating war. At the same time we reiterate our concerns regarding the detention policy used under Democratic Security. This policy has led to hundreds, if not thousands, of erroneous accusations of membership in or affiliation with armed groups. Many of the people in question have been presented to the press as guerrillas without any public rectification of the error when they are subsequently released for lack of evidence.

We join our voices with those of Colombian human rights groups and the Defensoría and call for adequate protection measures for members of Colombia's civil society who have been unduly put at risk due to erroneous charges levied against them. We also ask you to do all in your power to verify that future warrants and arrests are based on credible and independent evidence. In those cases in which there is not enough evidence to convict an individual who has been presented publicly as a guerrilla, there should be a public admission of the error in order to restore the individual's good name and ensure that they will not be at risk for attack by Colombia's armed groups.

Sincerely,

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